

FIRST REGULAR SESSION

# HOUSE BILL NO. 877

## 97TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES MARSHALL (Sponsor) AND PARKINSON (Co-sponsor).

2007L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal section 340.200, RSMo, and to enact in lieu thereof one new section relating to veterinary medicine.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 340.200, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 340.200, to read as follows:

340.200. When used in sections 340.200 to 340.330, the following terms mean:

- (1) "Accredited school of veterinary medicine", any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and is accredited by the American Veterinary Medical Association (AVMA);
- (2) "Animal", any wild, exotic or domestic, living or dead animal or mammal other than man, including birds, fish and reptiles;
- (3) "Applicant", an individual who files an application to be licensed to practice veterinary medicine or to be registered as a veterinary technician;
- (4) "Appointed member of the board", regularly appointed members of the Missouri veterinary medical board, not including the state veterinarian who serves on the board ex officio;
- (5) "Board", the Missouri veterinary medical board;
- (6) "Consulting veterinarian", a veterinarian licensed in another state, country or territory who gives advice or demonstrates techniques to a licensed Missouri veterinarian or group of licensed Missouri veterinarians;
- (7) "ECFVG certificate", a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates or its successor. The

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.



17 certificate must indicate that the holder of the certificate has demonstrated knowledge and skill  
18 equivalent to that possessed by a graduate of an accredited school of veterinary medicine;

19 (8) "Emergency", when an animal has been placed in a life-threatening condition and  
20 immediate treatment is necessary to sustain life or where death is imminent and action is  
21 necessary to relieve pain or suffering;

22 (9) "Faculty member", full professors, assistant professors, associate professors, clinical  
23 instructors and residents but does not include interns or adjunct appointments;

24 (10) "Foreign veterinary graduate", any person, including foreign nationals and American  
25 citizens, who has received a professional veterinary medical degree from an AVMA listed  
26 veterinary college located outside the boundaries of the United States, its territories or Canada,  
27 that is not accredited by the AVMA;

28 (11) "License", any permit, approval, registration or certificate issued or renewed by the  
29 board;

30 (12) "Licensed veterinarian", an individual who is validly and currently licensed to  
31 practice veterinary medicine in Missouri as determined by the board in accordance with the  
32 requirements and provisions of sections 340.200 to 340.330;

33 (13) "Minimum standards", standards as set by board rule and which establish the  
34 minimum requirements for the practice of veterinary medicine in the state of Missouri as are  
35 consistent with the intent and purpose of sections 340.200 to 340.330;

36 (14) "Person", any individual, firm, partnership, association, joint venture, cooperative  
37 or corporation or any other group or combination acting in concert; whether or not acting as  
38 principal, trustee, fiduciary, receiver, or as any kind of legal or personal representative or as the  
39 successor in interest, assigning agent, factor, servant, employee, director, officer or any other  
40 representative of such person;

41 (15) "Practice of veterinary medicine", to represent directly, indirectly, publicly or  
42 privately an ability and willingness to do any act described in subdivision (28) of this section;

43 (16) "Provisional license", a license issued to a person while that person is engaged in  
44 a veterinary candidacy program;

45 (17) "Registered veterinary technician", a person who is formally trained for the specific  
46 purpose of assisting a licensed veterinarian with technical services under the appropriate level  
47 of supervision as is consistent with the particular delegated animal health care task;

48 (18) "Supervision":

49 (a) "Immediate supervision", the licensed veterinarian is in the immediate area and  
50 within audible and visual range of the animal patient and the person treating the patient;

51 (b) "Direct supervision", the licensed veterinarian is on the premises where the animal  
52 is being treated and is quickly and easily available and the animal has been examined by a



53 licensed veterinarian at such times as acceptable veterinary medical practice requires consistent  
54 with the particular delegated animal health care task;

55 (c) "Indirect supervision", the licensed veterinarian need not be on the premises but has  
56 given either written or oral instructions for the treatment of the animal patient or treatment  
57 protocol has been established and the animal has been examined by a licensed veterinarian at  
58 such times as acceptable veterinary medical practice requires consistent with the particular  
59 delegated health care task; provided that the patient is not in a surgical plane of anesthesia and  
60 the licensed veterinarian is available for consultation on at least a daily basis;

61 (19) "Supervisor", a licensed veterinarian employing or utilizing the services of a  
62 registered veterinary technician, veterinary intern, temporary provisional licensee, veterinary  
63 medical student, unregistered assistant or any other individual working under that veterinarian's  
64 supervision;

65 (20) "Temporary license", any temporary permission to practice veterinary medicine  
66 issued by the board pursuant to section 340.248;

67 (21) "Unregistered assistant", any individual who is not a registered veterinary technician  
68 or licensed veterinarian and is employed by a licensed veterinarian;

69 (22) "Veterinarian", "doctor of veterinary medicine", "DVM", "VMD", or equivalent  
70 title, a person who has received a doctor's degree in veterinary medicine from an accredited  
71 school of veterinary medicine or holds a ECFVG certificate issued by the AVMA;

72 (23) "Veterinarian-client-patient relationship", the veterinarian has assumed the  
73 responsibility for making medical judgments regarding the health of the animal and the need for  
74 medical treatment, and the client, owner or owner's agent has agreed to follow the instructions  
75 of the veterinarian. There is sufficient knowledge of the animal by the veterinarian to initiate at  
76 least a general or preliminary diagnosis of the medical condition of the animal.  
77 Veterinarian-client-patient relationship means that the veterinarian has recently seen and is  
78 personally acquainted with the keeping and care of the animal by virtue of an examination or by  
79 medically appropriate and timely visits to the premises where the animal is kept. The practicing  
80 veterinarian is readily available for follow-up care in case of adverse reactions or failure of the  
81 prescribed course of therapy;

82 (24) "Veterinary candidacy program", a program by which a person who has received  
83 a doctor of veterinary medicine or equivalent degree from an accredited school of veterinary  
84 medicine can obtain the practical experience required for licensing in Missouri pursuant to  
85 sections 340.200 to 340.330;

86 (25) "Veterinary facility", any place or unit from which the practice of veterinary  
87 medicine is conducted, including but not limited to the following:



88 (a) "Veterinary or animal hospital or clinic", a facility that meets or exceeds all physical  
89 requirements and minimum standards as established by board rule for veterinary facilities;  
90 provides quality examination, diagnostic and health maintenance services for medical and  
91 surgical treatment of animals and is equipped to provide housing and nursing care for animals  
92 during illness or convalescence;

93 (b) "Specialty practice or clinic", a facility that provides complete specialty service by  
94 a licensed veterinarian who has advanced training in a specialty and is a diplomate of an  
95 approved specialty board. A specialty practice or clinic shall meet all minimum standards which  
96 are applicable to a specialty as established by board rule;

97 (c) "Central hospital", a facility that meets all requirements of a veterinary or animal  
98 hospital or clinic as defined in paragraph (a) of this subdivision and other requirements as  
99 established by board rule, and which provides specialized care, including but not limited to  
100 twenty-four-hour nursing care and specialty consultation on permanent or on-call basis. A  
101 central hospital shall be utilized primarily on referral from area veterinary hospitals or clinics;

102 (d) "Satellite, outpatient or mobile small animal clinic", a supportive facility owned by  
103 or associated with and has ready access to a full-service veterinary hospital or clinic or a central  
104 hospital providing all mandatory services and meeting all physical requirements and minimum  
105 standards as established by sections 340.200 to 340.330 or by board rule;

106 (e) "Large animal mobile clinic", a facility that provides examination, diagnostic and  
107 preventive medicine and minor surgical services for large animals not requiring confinement or  
108 hospitalization;

109 (f) "Emergency clinic", a facility established to receive patients and to treat illnesses and  
110 injuries of an emergency nature;

111 (26) "Veterinary candidate", a person who has received a doctor of veterinary medicine  
112 or equivalent degree from an accredited school or college of veterinary medicine and who is  
113 working under the supervision of a board-approved licensed veterinarian;

114 (27) "Veterinary intern", a person who has received a doctor of veterinary medicine or  
115 equivalent degree from an accredited school or college of veterinary medicine and who is  
116 participating in additional clinical training in veterinary medicine to prepare for  
117 AVMA-recognized certification or specialization;

118 (28) "Veterinary medicine", the science of diagnosing, treating, changing, alleviating,  
119 rectifying, curing or preventing any animal disease, deformity, defect, injury or other physical  
120 or mental condition, including, but not limited to, the prescription or administration of any drug,  
121 medicine, biologic, apparatus, application, anesthesia or other therapeutic or diagnostic substance  
122 or technique on any animal, including, but not limited to, acupuncture, [dentistry,] animal  
123 psychology, animal chiropractic, theriogenology, surgery, both general and cosmetic surgery, any



124 manual, mechanical, biological or chemical procedure for testing for pregnancy [or for correcting  
125 sterility or infertility] , or to render service or recommendations with regard to any of the  
126 procedures in this [paragraph] **subdivision. Veterinary medicine does not include**  
127 **vaccination, animal dentistry, including tooth floating; dehorning; estrus synchronization,**  
128 **heat detection, artificial insemination, embryo transfer; castration, or spaying or**  
129 **neutering; emergency services; herd work; or massage;**

130 (29) "Veterinary student preceptee", a person who is pursuing a veterinary degree in an  
131 accredited school of veterinary medicine which has a preceptor program and who has completed  
132 the academic requirements of such program.

✓